

Understanding Employer Experiences Under Continuing Reserve Component Operations Project Employer Interview Protocol

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First, I have a few background questions about you and your employer.

1. What is your job title or function?
2. What is your work relationship to the National Guard and Reserve employees working at [EMPLOYER]? I have a list to read to you; please let me know which options apply.
 - Direct supervisor
 - Indirect supervisor [prompt if needed: one or more supervisory levels above a direct supervisor]
 - Coworker
 - Subordinate
 - Currently a National Guard or Reserve member
 - Other (please describe)
3. Approximately how many work locations does [EMPLOYER] have?
 - a. Probe¹: How many states does [EMPLOYER] operate in?
4. Approximately how many employees does [EMPLOYER] have across all work locations?
[Interviewer note: If interviewee provides number, check off the category that it fits into. If the interviewee is unsure of the number, read through the categories and select the best option.]
 - 1-10 employees
 - 11-49 employees
 - 50-99 employees
 - 100-500 employees
 - 501- -1,000 employees
 - 1,001 - 10,000 employees
 - 10,000+ employees
 - Don't know

¹ Throughout this protocol, a “probe” is question intended to be asked as a follow-up to the main or initial question if the response to the initial question does not answer the question presented in the probe.

5. To the best of your knowledge, within the past 36 months, approximately how many employees have both worked at [EMPLOYER] and served in the National Guard or Reserve? By Guard or Reserve service I mean participated in weekend drills, annual two-week training or an extended period of active duty service).
6. In what Service or Reserve component(s) do your National Guard or Reserve employees serve?
 - Army National Guard (ARNG)
 - U.S. Army Reserve (USAR)
 - U.S. Navy Reserve (USNR)
 - U.S. Marine Corps Reserve (USMCR)
 - Air National Guard (ANG)
 - U.S. Air Force Reserve (USAFR)
 - U.S. Coast Guard Reserve (USCGR)
 - Don't know the Service/Reserve component of at least one employee
7. Could you please describe any experiences with activation, mobilization, or other military duty-related absence you've had at [EMPLOYER] in the last three years?
[Interviewer note: Here and throughout the interview, if the interviewee offers details about a specific employee, advise him or her not to use that person's name]
 - a. Probe as needed to cover the following topics:
 - i. Roughly how many employees were absent for military related duties and what type of work did they do?
 - ii. To the best of your recollection, did he/she/they fill a unique role in your organization or have skills that were difficult to replace?
 - iii. How often and how long were the absences for? If there were many, please just give me a range or overall sense.
 - iv. To the best of your knowledge, were the military absences due to voluntary or involuntary military duty?
 - v. Do you have any employees who have used more than five years of military leave during their career in your organization?

READ: Thanks for that background information. Now I'd like to discuss [EMPLOYER's] practices related to recruiting and hiring NG&R employees.

8. Does your organization use any recruiting or hiring practices that target Guard and Reserve members? If yes, please describe them.
 - a. Prompt²: For example, advertise job openings in places where Guard and Reserve members are more likely to see them, or inquire about Guard and Reserve service during the screening process.
9. To the best of your knowledge what is the "business case" for [EMPLOYER] to employ Guard and Reserve members?

² Throughout this protocol, a "prompt" is a statement or question intended to help clarify the main question if the interview participant seems confused by the main question (e.g., asks "what do you mean by that?" or a long pause).

- a. Prompt: How are they an asset to your business?
 - b. Probe: What are the perceived advantages of employing Guard and Reserve members?
10. On the flip side, what challenges or disadvantages has [EMPLOYER] experienced with employing Guard and Reserve members?
11. Has your organization experienced any personnel problems or disputes related to an employee absence due to guard or reserve service? If yes, would you please tell me about that? [If many, ask the interviewee to pick the one or two he felt were the most serious].
 - a. Probe: What were the nature of the problems?
 - b. Probe: Why do you think the problem(s) arose?
 - c. Probe: Were the employee/employees' supervisors or co-workers involved in any way? How so?
 - d. Probe: How were the problem(s) resolved?
12. How did or would your organization adjust to an employee absence due to Guard or Reserve duty (training, activation or mobilization)? This could include actions such as postponing work until the employee returned, reassigning it to a current employee, or hiring an additional person either temporarily or permanently.
 - a. Probe: What might affect your choice of strategy? By that I mean things like the amount of notice your organization received, the expected length of absence, or the type of employee who will be away.
 - b. Probe: What direct or indirect costs did or would [EMPLOYER] experience in the event of a guard or reserve member's absence?
 - i. Prompt: Examples of direct costs include recruiting, hiring and training a replacement, or increased overtime or benefits plan costs, and lost business.
 - ii. Prompt: Examples of indirect costs include disruptions in scheduling, workflow, or product delivery, or increased workload and decreased morale of other workers.

READ: Thanks for that information. Now I'd like to discuss the Uniformed Services Employment and Reemployment Rights Act or USERRA. Just so we're on the same page, USERRA protects service members' reemployment rights when returning from a period of service. The Act requires that people who serve or have served in the Armed Forces, Reserves, National Guard or other "uniformed services:" (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present, or future military service.

16. How familiar are you with the requirements of USERRA? Would you say not familiar, somewhat familiar, or very familiar?
 - a. [If not familiar or somewhat familiar]: Do you know where to go to learn more about USERRA if you need to?
 - b. [If somewhat familiar or very familiar]: Are there particular USERRA requirements that are difficult for your organization to understand? Which ones?

- i. Prompt: Aspects of USERRA include protecting guard and reserve members in your organization from discrimination, prompt reemployment of a returning guard or reserve member within two weeks of applying for reemployment, making reasonable efforts to train or retrain A member to reassume his or her position, and applying the escalator principle. Are any of those difficult for your organization to understand?

Definition if needed: The escalator principle means that when service members are reemployed after a military-related absence, they are entitled to be appointed into the position that they would have held with reasonable certainty had they not been on military leave with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

- c. [If somewhat familiar or very familiar:] Are there particular USERRA requirements that are difficult or costly for your organization? Which ones?
 - i. Prompt: Aspects of USERRA include protecting guard and reserve members in your organization from discrimination, prompt reemployment of a returning guard or reserve member within two weeks of applying for reemployment, making reasonable efforts to train or retrain A member to reassume his or her position, and applying the escalator principle. Are any of those difficult or costly for your organization to carry out?

Definition if needed: The escalator principle means that when service members are reemployed after a military-related absence, they are entitled to be appointed into the position that they would have held with reasonable certainty had they not been on military leave with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

17. Which ESGR programs has [EMPLOYER] used, if any?

- a. Prompt: ESGR is a DoD program that aims to promote cooperation and understanding between Reserve Component service members and their civilian employers and to assist in the resolution of conflicts arising from an employee's military commitment. Its programs include a call center for employer inquiries, Bosslift, and the Statement of Support program.
- b. [If interviewee indicates use of ESGR programs:] Which programs and supports were the most useful and why? Which were less useful, any why?
- c. [If interviewee indicates no use of ESGR programs:] To the best of your knowledge, why hasn't [EMPLOYER] used any of ESGR's programs?
 - i. Prompt: For example, perhaps there were other resources that [EMPLOYER] felt were more useful or more readily available.

[Interviewer note: If less than 5 minutes remaining, skip to Q22.]

18. [For employers who HAVE signed the Statement of Support] According to information maintained by Employer Support of the Guard and Reserve (ESGR) program, [EMPLOYER] has signed ESGR's Statement of support. Why did your organization sign the statement?
19. [For employers who HAVE NOT signed the Statement of Support] Are you aware of the ESGR Statement of Support that can be signed by employers?
 - a. [IF YES] Why has your organization not signed the statement?
 - b. [IF NO] Would you be open to signing the statement?
20. [For employers not selected because they received an award:] Has [EMPLOYER] received any ESGR awards, such as the Patriot Award Certificate of Appreciation, the Above and Beyond Award, the Pro Patria Award, or the Employer Support Freedom Award? If so, which?
 - a. Probe if none: How valuable do you think such an award would be for your organization, and why?
21. [For all award recipients]: What value has that award / have those awards had for [EMPLOYER]?

READ: We are almost done. I just have a few more questions for you.

22. How could ESGR or DoD more generally, better support employers like [EMPLOYER] that count on Guard and Reserve members as part of their workforce?
 - a. Probe: How helpful would additional information about what to expect in term of the frequency, duration and reasons for military-related absences be for your organization, and why/why not?
 - b. How helpful would some sort of financial incentive at the point of hiring or in the event of a military activation be for your organization?
 - c. [If helpful/ very helpful, probe:] What do you have in mind?
23. What advice would you offer to employers to help them get the most out of employing Guard and Reserve members? This could include strategies to enhance the employer-employee relationship with Guard and Reserve members as well as those to enhance the employer's relationship with DoD.
24. In closing, is there anything you would like to add about the topic that we discussed today?